

**BOARD OF  
SELECTMEN  
MEETING  
MINUTES**

**September 20, 2016**

**Town Hall**

Chairman James Brochu; Selectman Robert J. Fleming; Selectman Gary Daugherty; Town Manager, Blythe C. Robinson; Executive Assistant, Sandra Hakala

The meeting was called to order at 6:00pm. Chairman Brochu opened the meeting and after the pledge of allegiance reviewed the agenda.

**MINUTES**

**Motion #1:** Motion made by Selectman Fleming to approve the September 6, 2016 regular session meeting minutes.

Second: Selectmen Daugherty, Unanimous Chairman Brochu.

**Motion #2:** Motion made by Selectman Daugherty to approve the September 6, 2016 regular session meeting minutes.

Second: Selectmen Fleming, Unanimous Chairman Brochu

**Motion #3:** Motion made by Selectman Daugherty to approve the September 13, 2016 executive session meeting minutes.

Second: Selectmen Fleming, Unanimous Chairman Brochu.

**MANAGER'S REPORT**

Ms. Robinson reviewed the list of nuisance properties and their status. The Committee met this week and removed three properties; put two on a separate list as they are resolved for now and noted the next steps on the others. Added was #60 School Street and 25 Plain Street to this list.

The State Dept. of Public Utilities held the public hearing on the electricity aggregation plan on Monday. No issues or concerns were raised which is positive. The town will wait for the Department to issue its order allowing it to proceed which can take about a month.

The Board of Health has been awarded a recycling dividends grant in the amount of \$3,550 and the Green Community program won a Municipal Energy Technical Assistance (META) grant valued at \$3,750 to have CMRPC perform all of the work needed to be done to report on the program requirements for the first year.

The Planning Board made some changes to the draft of the Village Center Zoning Bylaw and it is now ready to be updated on the website ahead of the public information meeting on the bylaw on Tuesday, September 27th to be held at the Nipmuc High School Auditorium. A letter inviting all property owners affected by this change was sent.

The Planning Board and the Conservation Commission have approved the site plan for the Grove Street parking lot. The budget for the work and plan is being finalized.

The center island in the cul de sac at the end of Oak Knoll Lane is scheduled to be removed next week and residents have been notified. A second project to tackle a drainage project on North Street at the driveway to Five Fork Farm has also been scheduled. Runoff from the property creates an icing issue each winter – this will be a joint effort between the Town and the Farm.

#### **DISCUSSION ITEMS**

##### **Review & Approve Road Race Application – October 30th**

The Board reviewed an application from the Mendon Upton Education Foundation to hold a road race that begins and ends at Nipmuc High School. The application has been approved by all departments and Ms. Robinson recommends that the Board approve it.

**Motion #4:** Motion made by Selectman Fleming to approve an application from the Mendon Upton Education Foundation to hold a road race that begins and ends at Nipmuc High School on October 30, at 10:00am.

Second: Selectmen Daugherty, Unanimous Chairman Brochu.

##### **Accept Donation to the Council on Aging**

The Selectmen reviewed a memo from COA Director Janice Nowicki informing them of a donation of \$300 from a resident who wishes to remain anonymous, the funds to be used to benefit the Upton Center. Ms. Robinson recommends that the Board vote to accept the donation, and to ask Ms. Nowicki to thank the family for their generosity to the Town.

**Motion #5:** Motion made by Selectman Fleming to accept with gratitude a donation of \$300 from a resident who wishes to remain anonymous, the funds to be used to benefit the Upton Center.

Second: Selectmen Daugherty, Unanimous Chairman Brochu.

##### **Appoint COA members**

The applications from two Upton residents (Laurie Fantini and Josephine McLaughlin) who wish to be appointed to the Council on Aging Board were discussed by the Selectmen. The COA Director's recommendations noted both have been involved in the community and have attended several COA board meetings prior to applying to join. Ms. Robinson recommended that the Board vote to approve their applications.

**Motion #6:** Motion made by Selectman Fleming to appoint Laurie Fantini and Josephine McLaughlin to the Council on Aging Board.

Second: Selectmen Daugherty, Unanimous Chairman Brochu.

##### **Discuss Proposed Vehicle Use Policy**

An updated draft that was discussed at the last meeting was presented again for further consideration.

**Motion #7:** Motion made by Selectman Fleming to approve and endorse the updated Proposed Vehicle Use Policy as discussed.

Second: Selectmen Daugherty, Unanimous Chairman Brochu.

**Motion to Approve Plowing of Private Ways – Winter 2016/2017**

Following the policy on this topic, notice was given that Shore Drive and Breton Road required repairs in order to put them in satisfactory condition for the Town to plow them this year. Both streets have been addressed to the satisfaction of the Public Works Department, thus it was recommended the Board vote to approve the prepared list for this year to be published it on the website.

**Motion #8:** Motion made by Selectman Fleming to approve the prepared list for Plowing of Private Ways – Winter 2016/2017 and commend the residents who supported the process.

Second: Selectmen Daugherty, Unanimous Chairman Brochu.

**Motion to Award Contract for Purchase of Road Salt**

A contract for purchase of road salt was considered. A memo from Director Vin Roy details, their recommendation to award a contract to Eastern Minerals for up to 2,500 tons of salt at a price of \$59/ton. The price has come down by \$8/ton from last winter.

**Motion #9:** Motion made by Selectman Fleming to authorize the Town Manager to enter into contract with to Eastern Minerals for up to 2,500 tons of salt at a price of \$59/ton.

Second: Selectmen Daugherty, Unanimous Chairman Brochu.

**Review Draft List of Special Town Meeting Warrant Articles**

An updated list of articles for the November 15th meeting was discussed; generally, they are comprised of budget adjustments, capital items that were not taken up at the Annual meeting in May, CPC articles, and the Village Center Zoning Bylaw. Since the last meeting Ms. Robinson added a couple of articles, including a possible petition from citizens to pass a resolution against the proposed gas pipeline. Selectman Fleming asked to secure a second night on the calendar should the meeting run long.

**Motion to Pay Prior Year Invoices from the Police Department**

Two invoices for motor vehicle parts purchased from Carquest Auto Parts from the last fiscal year which were not paid. Invoices from a prior fiscal year must be paid by July 15th, and if they are not the Town Accountant cannot process them without a vote of Town Meeting, and 9/10ths of the voters' present must vote favorably. Ms. Robinson suggested an alternative would be to pay this out of a trust fund under the control of the Board, which has been their practice for small amounts. This can be done, or it can be added to the Special Town Meeting as a warrant article. Chief Bradley assured the Town Manager they have taken steps to receive copies of invoices from this vendor directly for any parts that are ordered by DPW to service our fleet in the future.

**Motion #10:** Motion made by Selectman Fleming to appropriate \$96.39 for automotive parts from the William Knowlton Trust Fund.

Second: Selectmen Daugherty, Unanimous Chairman Brochu.

**Vote to Issue Invoices to Owners of Condemned Properties for Town Incurred Expenses**

The Town has incurred expenses in the process of condemning two properties, 92 Hopkinton Road and 60 School Street in the past year. The Board reviewed an email from Town Counsel outlining the steps of this process, as well as letters to the property owners and spreadsheets showing the expenses for each property. It was noted from Town Counsel – letters to the owners with documentation is the first step. Ms. Robinson requested the Board’s approval to send the attached letters to the owners seeking payment for the Town’s expenses.

**Motion #11:** Motion made by Selectman Fleming to authorize release of the invoices for expenses incurred by the town at 60 School Street and 92 Hopkinton Road.

Second: Selectmen Daugherty, Unanimous Chairman Brochu.

**Review Application for Haunted House Trail at Heritage Park**

An application from Mike Campbell to hold a haunted house trail again this year beginning at the Rose Garden and proceeding to Heritage Park. The Historical Commission approves the use of the park as anticipated. The question that this activity poses is the cost of providing a police detail. Last year the event was one evening and the Town donated the cost of an officer for four hours. Based on this year’s schedule of 3 days, the event would cost \$720.00. Extra events have not been included in the department’s budget for overtime. Ms. Robinson requested the board’s direction on whether the Board wants to again donate the Town’s services, or let the organizers know that they will need to pay for this service.

**Motion #12:** Motion made by Selectman Fleming to authorize up to \$1000 be paid from the William Knowlton Trust Fund for traffic control by the Police Department.

Second: Selectmen Daugherty, Unanimous Chairman Brochu.

**EXECUTIVE SESSION**

The Board will enter into Executive Session under MGL 30A, section 21(a)(3) to discuss strategy with respect to litigation where an open meeting may have a detrimental effect on the litigation position of the Board as declared by the Chair.

The Board will enter into Executive Session under M.G.L. Chapter 30A, Section #21, Exception #3 to discuss strategy with respect to litigation if an open meeting may have a detrimental effect on the litigating position of the public body and the chair so declares.

**ADJOURN MEETING**

**Motion #13:** At 7:45 pm motion was made by Selectman Daugherty to adjourn.

Second: Selectmen Fleming, Unanimous Chairman Brochu.

181    Respectfully submitted,  
182  
183    Sandra Hakala  
184    Executive Assistant